

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Erick Edward Rogers**

**Docket No. 5:16-CR-255-1D**

**Petition for Action on Probation**

COMES NOW Linwood E. King, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Erick Edward Rogers, who, upon an earlier plea of guilty to Passing Counterfeit Money, in violation of 18 U.S.C. 472, was sentenced by the Honorable J. Michelle Childs, U.S. District Court Judge, District of South Carolina, on September 6, 2012, to 60 months probation under the conditions adopted by the court.

On June 9, 2014, a Violation Report was submitted to the court in the District of South Carolina, advising that the defendant tested positive for the use of marijuana. The term of supervision was continued without modification.

On October 6, 2014, a Violation Report was submitted to the court in the District of South Carolina, advising that the defendant tested positive for the use of marijuana. The term of supervision was continued without modification.

On August 4, 2015, a Violation Report was submitted to the court in the District of South Carolina, advising that the defendant tested positive for the use of marijuana. The term of supervision was continued without modification.

On May 26, 2016, a Violation Report was submitted to the court in the District of South Carolina, advising that the defendant was charged with Simple Possession of a Schedule VI Controlled Substance in Wake County, North Carolina. The term of supervision was continued without modification.

On October 18, 2016, jurisdiction in this case was transferred to the Eastern District of North Carolina.

On February 1, 2017, a Violation Report was submitted to this court advising that the defendant tested positive for the use of marijuana. The term of supervision was continued without modification.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

The defendant provided a urine screen on June 7, 2017, which tested positive for the use of marijuana. Rogers admitted to this officer that he uses marijuana to deal with stressful issues. To address this behavior, and in an effort to deter future drug use, we are recommending that participation in a cognitive behavioral program be added to Rogers' supervision conditions, and he continue exposure to appropriate substance abuse treatment. The defendant has again been referred for counseling sessions at First Step Services in Raleigh, and we are hopeful that exposure to treatment resources will assist him with gaining abstinence skills. Additionally, Rogers has been warned that an arrest warrant could be requested from the court subsequent to any future urinalysis tests returning positive for illegal drug use.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/Michael C. Brittain  
Michael C. Brittain  
Supervising U.S. Probation Officer

/s/Linwood E. King  
Linwood E. King  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8682  
Executed On: June 23, 2017

**ORDER OF THE COURT**

Considered and ordered this 28 day of June, 2017, and ordered filed and  
made a part of the records in the above case.

James C. Dever III  
James C. Dever III  
Chief U.S. District Judge